

Notice of Allowability

Application No.

09/754,740

Examiner

Houshang Safaipoor

Applicant(s)

OGINO, NOBORU

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/30/04.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ The drawings filed on 04 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT AND ALLOWANCE

Applicant's communication filed on Aug. 30, 2004 has been entered and made of record.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of issue fee.

Authorization for this examiner's amendment was given in telephone interview with Douglas Holtz (Reg. No. 33,902) on October 6, 2004.

The application has been amended as follows:

Claims:

Claim 1, page 3, line 24, change "selecting one of the first scanning means and the second scanning means" to "selecting **the first scanning means or** the second scanning means"

Claim 1, page 3, line 33, change "one of the first scanning means and the second scanning means" to "**the first scanning means or** the second scanning means"

Claim 2, page 3, line 43, change "performed by one of the first scanning means and the second scanning means" to "performed by **the first scanning means or** the second scanning means"

Claim 4, page 4, line 17, change “allows one of the first scanning means and the second scanning means” to “allows **the first scanning means or** the second scanning means”

Claim 5, page 5, line 9, change “an instruction for one of continuation of document scanning and completion of document scanning” to “an instruction for **continuation of document scanning or** completion of document scanning”

Claim 8, page 7, line 13, change “an instruction for one of continuation of document scanning and completion of document scanning” to “an instruction for **continuation of document scanning or** completion of document scanning”

Claim 8, page 8, line 2, change “selecting one of the first scanning means and the second scanning means” to “selecting **the first scanning means or** the second scanning means”

Claim 8, page 8, line 9, change “wherein one of the first scanning means and the second scanning means” to “wherein **the first scanning means or** the second scanning means”

Claim 9, page 8, line 17, change “an instruction for one of continuation of document scanning and completion of document scanning” to “an instruction for **continuation of document scanning or** completion of document scanning”

Specification:

Page 4, line 10, change “specification for one of document scan continuation and completion” to “specification for **document scan continuation or** completion”

Page 4, line 19, change “selecting one of the first scanning means and the second scanning means” to “selecting **the first scanning means or** the second scanning means”

Page 5, line 10, change “specification for one of document scan continuation and completion” to “specification for **document scan continuation or** completion”

Page 6, line 17, change “specification for one of document scan continuation and completion” to “specification for **document scan continuation or** completion”

Page 6, line 23, change “selecting one of the first scanning means and the second scanning means” to “selecting **the first scanning means or** the second scanning means”

Page 7, line 13, change “specification for one of document scan continuation and completion” to “specification for **document scan continuation or** completion”

Reasons for Allowance

Claims 1-9 are allowed.

This is examiner's statement of reasons for allowance.

The instant invention recites a document scanning apparatus for scanning a document, generating image data, and storing the image data comprising:

first scanning means for sequentially transporting documents mounted in a document tray to a scan position and scanning the document at the scan position, thereby generating image data corresponding to the documents;

second scanning means for scanning a document placed on a document glass plane without transporting the document, thereby generating image data corresponding to the documents;

continued instruction acceptance means for accepting an instruction for one of

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continuation of document scanning and completion of document scanning after one of:

(i) the first scanning means scans all documents mounted in the document tray and (ii) the

second scanning means scans the document placed on the document glass plane;

selection means for responding to the instruction for continued document scan, accepted by the continued instruction acceptance means, and for selecting the first scanning means or the second scanning means according to a predetermined rule, and for allowing selected scanning means to start scanning additional documents; and

storage control means for storing newly generated image data corresponding to the additional documents as additional image data subsequent to previously stored image data, wherein the first scanning means or the second scanning means provides the newly generated image data until the continued instruction acceptance means accepts the instruction for completing the scanning of documents.

The features identified, in combination with other claim limitations, are neither suggested nor discussed by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor
Patent Examiner
Art Unit 2622
June 25, 2004


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